

State of California
Business, Transportation and Housing Agency
Department of Transportation

HIGHWAY RIGHT OF WAY MATTERS
Resolutions of Necessity
Action Item

Prepared By:
Brice Paris
Program Manager
Right of Way
(916) 654-5075

CTC Meeting: March 28-29, 2001

Agenda Item: 2.4b.(1)

Original Signed By
W. J. EVANS, Deputy Director
Finance
March 1, 2001

RESOLUTIONS OF NECESSITY

For each of the proposed resolutions, the property owners are not contesting the following findings contained in Section 1245.230 of the Code of Civil Procedure:

1. The public interest and necessity require the project.
2. The project is planned to provide the greatest public good with the least private injury.
3. This property is required for the proposed project.
4. An offer to purchase the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

The only remaining issues with the property owners are related to compensation.

The Department of Transportation recommends the California Transportation Commission adopt Resolutions of Necessity C-18229 and C-18231 through C-18253. Discussions have taken place with all the owners, each of whom has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the resolutions will not interrupt our efforts to secure equitable settlement. In accordance with statutory requirements, each owner has been advised that the Department is requesting the resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-18229 Southern Cascade Properties, LLC

02-Teh-5-KP 43.6/44.7 - Parcel 12484-1,2,3,4 - E.A. 261812 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, temporary easements for highway construction, an easement for a sewer line to be conveyed to city of Red Bluff Public Works Department, located in the city of Red Bluff near the intersection of North Main Street on Adobe Road.

C-18231 Union Pacific Railroad, et al

04-SCI-87-PM 7.1 - Parcel 55893-1 - E.A. 4874F2 (Freeway) Authorizes condemnation of extinguishment of abutter's rights of access, a permanent aerial easement, located in the city of San Jose at Bassett Street Viaduct.

C-18232 Thrifty Oil Co.

07-LA-01-PM 40.8 - Parcel 76711-1,2,4,8 - E.A. 181809 (Conventional Highway) Authorizes condemnation of temporary easements for State highway, construction, and landscape, permanent easements for access, maintenance, drainage, and footing, located in the city of Malibu at 18541 Pacific Coast Highway.

C-18233 Galleria Park Partners, LLC

07-LA-405-PM 27.4 - Parcel 76770-1,2,3,4 - E.A. 191309 (Freeway) Authorizes condemnation of land in fee for a State highway, a temporary easement for construction purposes and a permanent easement for footing purposes, located in the city of Sherman Oaks at 15301 Ventura Boulevard.

C-18234 Stemmy Corporation

07-Ven-101-KP 22.21 - Parcel 75819-1,2,3,4,5,6 - E.A. 104959 (Freeway) Authorizes condemnation of land in fee for a State highway, temporary easements for construction purposes and a permanent easement for slope purposes, located in the city of Camarillo at 2713 Daily Drive.

C-18235 Marina Self Storage

07-Ven-101-KP 22.21 - Parcel 75823-1,2,3,4,5,6,7,8 - E.A. 104959 (Freeway) Authorizes condemnation of land in fee for a State highway, temporary easements for maintenance and construction purposes and permanent easements for maintenance and for utility purposes, located in the city of Camarillo at 215 Dawson Drive.

C-18236 Angela C. Collier

07-Ven-101-KP 22.6 - Parcels 75838 and 75839-1,2 - E.A. 104959 (Freeway) Authorizes condemnation of land in fee for a State highway and temporary easement for construction purposes, extinguishment of abutters rights, located in the city of Camarillo at 2551, 2541/45 Ventura Boulevard.

C-18237 American Legion Cam Post, #741

07-Ven-101-KP 22.6 - Parcel 75840-1,2 - E.A. 104959 (Freeway) Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes, extinguishment of abutters rights, located in the city of Camarillo at 7 Nellora Street.

C-18238 Annie D. Whitaker

07-Ven-101-PM 13.9 - Parcel 75818 - E.A. 104959 (Freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Camarillo at 190 Nellora Street.

C-18239 LLW Properties

07-Ven-101-PM 13.9 - Parcel 75820 - E.A. 104959 (Freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Camarillo at 2680 East Daily Drive.

C-18240 Camarillo Community Development Commission

07-Ven-101-PM 13.9 - Parcel 75835 - E.A. 104959 (Freeway) Authorizes condemnation of a temporary easement for construction purposes, located in the city of Camarillo at 601 Carmen Drive

C-18241 Eldon L. Walden

07-Ven-101-PM 13.9 - Parcel 77172 - E.A. 104959 (Freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Camarillo at 191 Nellora Street.

C-18242 Camarillo Evangelical Church

07-Ven-101-PM 20.6 - Parcel 75830-1, 2, 3, 4, 5, 6, 7 - E.A. 104959 (Freeway) Authorizes condemnation of land in fee for a State highway, temporary easements for construction purposes and permanent easements for footing and slope purposes, extinguishment of abutters rights, located in the city of Camarillo at 2315 Ventura Boulevard.

C-18243 Union Pacific Railroad Company

07-Ven-101-PM 22.2 - Parcels 75807-2,3,5,7,9,14,15,16 and 75822-3,4 - E.A. 104959 (Freeway) Authorizes condemnation of temporary easements for construction purposes and permanent easements for highway, maintenance, utility, and water line purposes, located in the city of Camarillo at the intersection of Lewis Road (State Route 34) and Highway 101.

C-18244 Lowell Spiva, et al.

07-Ven-101-PM 22.2 - Parcel 75824-1,2 - E.A. 104959 (Freeway) Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes, the right and easement to enter the remaining ownership to sever and shore certain improvements at the right of way line, located in the city of Camarillo at 95 Dawson Drive.

C-18245 City of Redlands, et al

08-SBd-38-KP 12.4-13.2 - Parcel 17497-1,2; 17501-1; 17498-1,2,3; 17500-1 - E.A. 440309 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, a temporary easement for grading and removing of paving on Route 38 during construction, located in the city of Redlands near north side of Route 38, approx. 0.4 miles west. of Bryant Street.

C-18246 Antelope Valley Land & Cattle Company

09-Mno-395-KP 183.26 - Parcel 003438-1A,1B,2 - E.A. 254809 (Conventional Highway) Authorizes condemnation of land in fee for a State highway, a permanent easement for an irrigation ditch to be conveyed to Antelope Mutual Water Company. Acquisitions are located near the unincorporated area of Coleville between 0.2 Kilometers north of Cunningham Lane & 0.3 Kilometers south of Topaz Lane.

C-18247 Olive Lane Industrial Park, a General Partnership

11-SD-52-KP 25.4 - Parcel 27498 - E.A. 010619 (Freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Santee at 8765 Olive Lane, Units A-K and 8775 Olive Lane, Units A-P.

C-18248 Kieran Label Corporation

11-SD-52-KP 25.4 - Parcel 27499 - E.A. 010619 (Freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Santee at 8765 Olive Lane, Units L - P.

C-18249 The Schilling Corporation

11-SD-52-KP 26.0 - Parcel 27036; 27042 - E.A. 010619 (Freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Santee at 8634 Hacienda Road.

C-18250 Jack E. and Shirley M. Anderson, Co-Trustees

11-SD-52-KP 26.0 - Parcel 27037 - E.A. 010619 (Freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Santee at 8654 Hacienda Road.

C-18251 AA Budget Transmission (Lessee)

11-SD-52-KP 26.0 - Parcel 27039-B - E.A. 010612 (Freeway) Authorizes condemnation of Leasehold interest located in the city of Santee at 8637 Cuyamaca Street.

C-18252 Precision Tune (Lessee)

11-SD-52-KP 26.0 - Parcel 27039-C - E.A. 010612 (Freeway) Authorizes condemnation of Leasehold interest, located in the city of Santee at 8637 Cuyamaca Street, Suite A.

C-18253 Integrated Microwave Corporation

11-SD-5-KP 53.2 - Parcel 30782-1,2,3,4 - E.A. 0301U2 (Freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, temporary easements for construction, a permanent easement for access, maintenance and footing, all of those certain improvements which straddle the right of way line with an easement to enter the remaining ownership to remove such improvements, located in the city of San Diego at 11353 Sorrento Valley Road.

Qrbk0301.doc

H:ctc/calendar/Mar